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24 MAY 1972

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MEMORANDUM FOR: Mr. [REDACTED]  
Office of Legislative Counsel

SUBJECT: H.R. 4383--Federal Advisory Committee  
Standards Act

1. In principle the Office of Planning, Programming, and Budgeting finds nothing wrong with a requirement to review the accomplishments and usefulness of committees, boards, panels, etc., every two years. This might even be a good idea whether this bill is enacted or it isn't. Under this bill the "creating authority" merely needs to issue successive orders, extending any committee for indefinite consecutive two-year periods to keep the group in business. The "two-year" rule should not cause a great deal of concern.

2. Internal agency committees, career boards, etc., composed entirely of CIA personnel are exempted from the statute entirely. Therefore, the bill would probably affect USIB Committees, ExCom, NRO and other interagency committees as well as perhaps certain consultant panels used in the DDI, the DDS&T and other places. This does not seem to pose a problem justifying spending many blue chips to contest, especially since some of these could be categorized, no doubt, as "operational committees" which are also exempted. Again the "two-year" rule can easily be handled.

3. There are aspects to this bill which create some problems, however:

a. The first is the requirement that the membership of a committee be "fairly balanced in terms of points of view represented and functions to be performed." This is an altruistic objective but I do not know how you assure it or even how you know when you have achieved it.

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b. The role of the proposed "Committee Management Secretariat" in the Office of Management and Budget, insofar as CIA is concerned, should cause misgivings. We have been fairly successful in confining the bulk of CIA business with OMB to OMB's International Affairs Division for obvious security reasons. Introducing another committee to "manage committees" seems like a very peculiar management approach and we would not, I believe, want some other body dabbling in the sensitive data with which many intelligence committees deal.

c. The inclusion of data concerning many of the interagency committees in which we have an operational interest (e.g., 40 Committee) in any report to the Congress as a whole is not conducive to the protection of sources and methods. The bill attempts to deal with sensitive national security data in that it provides that such data should be reported in such a way as to avoid "the dangers of disclosure." This sounds great but, realistically, seems highly impractical.

4. In short, the simplest solution would be to include a provision in this bill to authorize the Director of Central Intelligence (in accordance with his responsibilities under Section 102(d)(3) of the National Security Act of 1947) to exempt from control by the proposed OMB "secretariat," any government committee dealing with intelligence matters and to withhold reporting of any intelligence data regardless of committee source which, in his view, may conflict with his responsibility to protect intelligence sources and methods.

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Charles A. Briggs  
Director of Planning,  
Programming, and Budgeting

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